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WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER
WRIGHT, BRYAN F

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/533,859	KAGIWADA, YOSHIMITSU
	Examiner	Art Unit
	BRYAN WRIGHT	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Jaunuary 26, 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 May 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to the original filing of January 26, 2006. Claims (1-16)

are pending and have been considered below.

Double Patenting

A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

Claim 1 is provisionally rejected under 35 U.S.C. 101 as claiming the same

invention as that of claim 1 of copending Application No. 10/536548. This is a

provisional double patenting rejection since the conflicting claims have not in fact been

patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsui

et al. (US Patent Publication No. 2002/0019817 and Matsui hereinafter (cited from

IDS)).

3.   As to claim 1, Matsui teaches a **personal information utilization system**

comprising:

a personal information storage means (i.e., ... teaches a database containing

personal information [6, fig. 1]), **a communication means** (i.e., internet) **to an external**

device (i.e., ... teaches internet communication [1, fig. 1]), **and an information**

processing means for controlling operation of each means thereof (i.e., ... teaches

an ISP configured with a computer system, database, and Web browser [2, fig. 1; fig.

4]);

said personal information storage means storing not only personal

information on an information disclosing person but also storing commodity

provision information, etc. on commodity service which is provided for said

information disclosing person for each information disclosing person of said

personal information (i.e., ... teaches database containing personal information also

stores service related data [10, fig. 1]);

and said processing means being constituted by the following

steps: a) receiving personal information on an information disclosing person

from an information search side terminal via said communication means (i.e., ...

teaches a Web browser configuration for receiving personal information [fig. 4; fig. 7]),

b) **checking said received personal information with personal information stored**

in said personal information storage means (i.e., ... teaches a verification process

[21-32 fig. 3]), c) **identifying an information disclosing person of said received**

personal information, as a result of said checking, if said received personal

information coincides with the personal (i.e., ... teaches the use of a password and

user id assigned for identification [0049 - 0051]). **A personal information utilization**

system comprising: a personal information storage means (i.e., 6, fig. 1), **a**

communication means to an external device, and an information processing

means for controlling operation of each means thereof [fig. 1];

said personal information storage means storing not only personal

information on an information disclosing person but also storing commodity

provision information, etc. on commodity service which is provided for said

information disclosing person for each information disclosing person of said

personal information (i.e., ... teaches database containing personal information also

stores service related data [10, fig. 1]);

and said processing means being constituted by the following steps: a)

receiving personal information on an information disclosing person from an

information search side terminal via said communication means (i.e., ... teaches a

Web browser configuration for receiving personal information [fig. 4; fig. 7]),

 b) **checking said received personal information with personal information stored**

in said personal information storage means (i.e., ... teaches a verification process

[21-32 fig. 3]), **c) identifying an information disclosing person of**

said received personal information (i.e., ... teaches the use of a password and user

id assigned for identification [0049 - 0051]), **as a result of said checking, if said**

received personal information coincides with the personal information stored in

said personal information storage means (i.e., ... teaches upon matching criteria

[par. 55]), **d) reading out** (i.e., display) **commodity provision information, etc. on**

said identified information disclosing person from said personal information

storage means (i.e., ... teaches displaying information retrieved from storage [par. 55]),

e) transmitting said read out commodity provision information, etc. to said

information search side terminal (i.e., ... teaches a sending a report base query

information provided [par. 56]).

4.   As to claim 2, Matsui teaches a **personal information utilization system**

comprising:

         a personal information storage means, a communication means to an

external device, and an information processing means for controlling operation of

each means thereof (i.e., ... teaches database storage, internet communication and

computer system for processing [fig. 1]);

         said personal information storage means not only storing personal

information on an information disclosing person but also storing commodity

provision information, etc. on commodity service which is provided for said

information disclosing person for each information disclosing person of said

personal information (i.e., … teaches a database storage storing personal information

and service related information [6, fig. 2]);

       and said processing means being constituted by the following

steps: a) receiving information included in commodity provision information (i.e.,

teaches information entered via web browser [fig. 4; fig. 5]), **etc. from an information**

search side terminal via said communication means (i.e., … teach a search

configuration for searching [fig.6]), b) **checking said received information included in**

the commodity provision information, etc. with commodity provision information,

etc. stored in said personal information storage means (i.e., … teaches performing

a search based information receive with stored information [fig. 6]), **c) identifying an**

information disclosing person associated with said commodity provision

information (i.e., … teaches identifying a person matching said information [par. 55]),

etc., as a result of said checking, if said received information included in the

commodity provision information, etc. partially or completely coincides with the

commodity provision information, etc. stored in said storage means (i.e., …

teaches performing a search relative to designated service information received [0056]),

d) reading out one or more personal information on said identified information

disclosing person or persons from said personal information storage means (i.e.,

… teaches displaying said result of search [fig. 6]0, **e) transmitting**

said read out personal information on the information disclosing person or

persons to said information search side terminal (i.e., ... teaches a sending a report

base query information provided [par. 56]).

5.   As to claim 3, Matsui teaches a **personal information utilization system where**

the commodity provision information, etc. registered in said personal

information storage means is such information that said processing means

associates personal information of said information disclosing person and

commodity provision information, etc., and receives said associated information

from an information register side terminal via said communication means (i.e., ...

teaches registration process [15- 21,fig. 3] Further teaches a personal information

associated with service data [18, fig. 3]), **checks said received personal information**

with personal information stored in said personal information storage means (i.e.,

... teaches a verification process (i.e., password and user id) [22-24, fig. 3]);

        identifies the information disclosing person of said received personal

information, as a result of said checking, if said received personal information

coincides with the personal information stored in said personal information

storage means (i.e., ... teaches a verification process (i.e., password and user id) [22-

24, fig. 3]);

        and registers said commodity purchasing information, etc. received for

each identified information disclosing person in said personal information

storage means (i.e., ... teaches a registration and enrollment process [16 -21, 25 fig.

3].

6.   As to claim 4, Matsui teaches a **personal information utilization system
wherein said information searching person includes at least a manufacture, a
sales vendor, a service trader, a self-governing body or an education foundation**
(i.e., … teaches search criteria [a, b, fig. 5]).

7.   As to claim 5, Matsui teaches a **personal information utilization system where
the personal information on the information disclosing person registered in said
personal information storage means is such information that the processing
means is allowed to receive information on disclosure limits representing
disclosure limits for the personal information on the information disclosing
person, from the information disclosure side terminal via the communication
means and that the personal information storage means is allowed to manage in
accordance with the received information on disclosure limits** (i.e., … teaches a
web browser [fig.4] Further teaches said web browser displaying limited personal
information required for search).

8.   As to claim 6, Matsui teaches a **personal information utilization program
which is used for a personal information utilization system comprising: a
personal information storage means** (i.e., … teaches a database containing personal
information [6, fig. 1]), **a communication means** (e.g., internet) **to an external device**
(i.e., … teaches internet communication [1, fig. 1]), **and a information processing**

means for controlling operation of each means thereof (i.e., ... teaches an ISP

configured with a computer system, database, and Web browser [2, fig. 1; fig. 4]);

said personal information storage means storing not only personal

information on an information disclosing person but also commodity provision

information, etc. on commodity service which is provided for said information

disclosing person for each information disclosing person of said personal

information (i.e., ... teaches database containing personal information also stores

service related data [10, fig. 1]);

wherein said processing means is allowed: a) to receive personal

information on an information disclosing person from an information search side

terminal via said communication means (i.e., ... teaches a Web browser

configuration for receiving personal information [fig. 4; fig. 7]), **b) to check said**

received personal information with personal information stored in said personal

information storage means (i.e., teaches search configuration for retrieving received

information from storage [fig. 6]), **c) to identify an personal information disclosing**

person of said received personal information (i.e., ... teaches the use of a password

and user id assigned for identification [0049 - 0051]), **as a result of said checking, if**

said received personal information coincides with the personal information

stored in said personal information storage means (i.e., ... teaches upon matching

criteria [par. 55]), **d) to read out commodity provision information, etc. on said**

identified information disclosing person from said personal information storage

means (i.e., ... teaches displaying information retrieved from storage [par. 55]),, **e) to**

transmit said read out commodity provision information, etc. to said information

search side terminal (i.e., ... teaches a sending a report base query information

provided [par. 56]).

9.   As to claim 7, Matsui teaches a **personal information utilization program**

which is used for a personal information utilization system comprising: a

personal information storage means (i.e., ... teaches a database containing personal

information [6, fig. 1]), **a communication means** (e.g., internet) **to an external device**

(i.e., ... teaches internet communication [1, fig. 1]), **and an information processing**

means for controlling operation of each means thereof (i.e., ... teaches an ISP

configured with a computer system, database, and Web browser [2, fig. 1; fig. 4]);

      said personal information storage means storing not only personal

information on an information disclosing person but also commodity provision

information, etc. on commodity service which is provided for said information

disclosing person for each information disclosing person of said personal

information (i.e., ... teaches database containing personal information also stores

service related data [10, fig. 1]);

      wherein said processing means is allowed: a) to receive information

included in commodity provision information, etc. from an information search

side terminal via said communication means (i.e., ... teaches a Web browser

configuration for receiving personal information [fig. 4; fig. 7]), **b) to check said**

received information included in the commodity provision information, etc. with

commodity provision information, etc. stored in said personal information

storage means (i.e., teaches search configuration for retrieving received information

from storage [fig. 6]), **c) to identify an information disclosing person associated**

with said commodity provision information (i.e., … teaches the use of a password

and user id assigned for identification [0049 - 0051]), **etc., as a result of said**

checking, if said received information included in the commodity provision

information, etc. partially or completely coincides with the commodity provision

information, etc. stored in said storage means (i.e., … teaches upon matching

criteria [par. 55]), **d) to read out** (i.e., display) **one or more personal information on**

said identified information disclosing person or persons from said personal

information storage means (i.e., … teaches displaying information retrieved from

storage [par. 55]), **e) to transmit said read out personal information on the**

information disclosing person or persons to said information search side

terminal (i.e., … teaches a sending a report base query information provided [par. 56]).

10.   As to claim 8, Matsui teaches a **personal information utilization program**

where the commodity provision information, etc. registered in said personal

information storage means is such information that said processing means is

allowed to associate personal information of said information disclosing person

and commodity provision information, etc (i.e., … teaches a storage (i.e., database)

contain personal information and associated service information [6, fig. 2]);

and to receive said associated information from the information register

side terminal via said communication means (i.e., ... teaches a Web browser

configuration for receiving personal information [fig. 4; fig. 7]);

to check said received personal information with personal information

stored in said personal information storage means (i.e., ... teaches the use of a

password and user id assigned for identification [0049 - 0051];

to identify an information disclosing person of said received personal

information as a result of said checking, if said received personal information

coincides with the personal information stored in said personal information

storage means (i.e., ... teaches upon matching criteria [par. 55]);

and to register said commodity purchasing information, etc. received for

each identified information disclosing person in said personal information

storage means [18, fig.3].

11.   As to claim 9, Matsui teaches a **personal information utilization program**

where said information searching person includes at least a manufacturer, a

sales vendor, a service trader, a self-governing body or an education foundation

[a, b, fig. 5].

12.   As to claim 10, Matsui teaches a **personal information utilization program**

where the personal information on the information disclosing person registered

in said personal information storage means is such information that the

processing means is allowed to receive information on disclosure limits

representing disclosure limits for the personal information on the information

disclosing person, from the information disclosure side terminal via the

communication means and that the personal information storage means is

allowed to manage in accordance with the received information on disclosure

limits (i.e., ... teaches a web browser [fig.4] Further teaches said web browser

displaying limited personal information required for search).

13.   As to claim 11, Matsui teaches a **personal information utilization system**

where the commodity provision information, etc. registered in said personal

information storage means is such information that said processing means

associates personal information of said information disclosing person and

commodity provision information, etc, (i.e., ... teaches a storage (i.e., database)

contain personal information and associated service information [6, fig. 2]), **and**

receives said associated information from an information register side terminal

via said communication means (i.e., ... teaches a web browser [fig. 4] Further

teaches registration user screen [15, fig. 3]);

        checks said received personal information with personal information

stored in said personal information storage means (i.e., ... teaches the use of a

password and user id assigned for identification [0049 - 0051]);

        identifies the information disclosing person of said received personal

information, as a result of said checking, if said received personal information

coincides with the personal information stored in said personal information

storage means (i.e., … teaches upon matching criteria [par. 55]);

       and registers said commodity purchasing information, etc. received for

each identified information disclosing person in said personal information

storage means [18, fig.3].

14.   As to claim 12, Matsui teaches a **personal information utilization system**

where said information searching person includes at least a manufacture, a sales

vendor, a service trader, a self-governing body or an education foundation [a, b,

fig. 5].

15.   As to claim 13, Matsui teaches a **personal information utilization system**

where the personal information on the information disclosing person registered

in said personal information storage means is such information that the

processing means is allowed to receive information on disclosure limits

representing disclosure limits for the personal information on the information

disclosing person, from the information disclosure side terminal via the

communication means and that the personal information storage means is

allowed to manage in accordance with the received information on disclosure

limits (i.e., … teaches a web browser [fig.4] Further teaches said web browser

displaying limited personal information required for search).

16.   As to claim 14, Matsui teaches a **personal information utilization program**

where the commodity provision information, etc. registered in said personal

information storage means is such information that said processing means is

allowed to associate personal information of said information disclosing person

and commodity provision information, etc. (i.e., ... teaches a storage (i.e., database)

contain personal information and associated service information [6, fig. 2]);

     and to receive said associated information from the information register

side terminal via said communication means (i.e., ... teaches a Web browser

configuration for receiving personal information [fig. 4; fig. 7]);

     to check said received personal information with personal information

stored in said personal information storage means (i.e., ... teaches the use of a

password and user id assigned for identification [0049 - 0051]);

     to identify an information disclosing person of said received personal

information as a result of said checking, if said received personal information

coincides with the personal information stored in said personal information

storage means (i.e., ... teaches upon matching criteria [par. 55]);

     and to register said commodity purchasing information, etc. received for

each identified information disclosing person in said personal information

storage means [18, fig.3].

17.   As to claim 15, Matsui teaches a **personal information utilization program**

where said information searching person includes at least a manufacturer, a

sales vendor, a service trader, a self-governing body or an education foundation
[a, b, fig. 5].

18.   As to claim 16, Matsui teaches a **personal information utilization program**

where the personal information on the information disclosing person registered

in said personal information storage means is such information that the

processing means is allowed to receive information on disclosure limits

representing disclosure limits for the personal information on the information

disclosing person, from the information disclosure side terminal via the

communication means and that the personal information storage means is

allowed to manage in accordance with the received information on disclosure

limits (i.e., … teaches a web browser [fig.4] Further teaches said web browser

displaying limited personal information required for search).

Prior Art Made of Record

19.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

   a.   Itabashi et al. (US Patent No. 7,284,063) Information processing

   apparatus, information processing method, and transmitting medium

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2131
/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2131